

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT NEW YORK

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GRAND ASSOCIATES, LLC,

Plaintiff,

- against -

4D SIGHT, INC.,

Defendant.
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Index No.: 1:24-cv-
03258-MMG

CORRESPONDENCE

This correspondence is being submitted to this Honorable Court's attention to request that this case be discontinued with prejudice and marked as "filed in error".

Erhan Ciris entered into a settlement agreement on behalf of Defendant, 4D Sight, Inc., on July 8, 2024, and he fulfilled all of his obligations pursuant to the settlement agreement on July 22, 2024. Please see a copy of the so-ordered settlement agreement, annexed herein as **Exhibit "A"**. A stipulation of discontinuance was sent to plaintiff's counsel on behalf of Defendant. However, Plaintiff's counsel has not returned the executed document for filing.

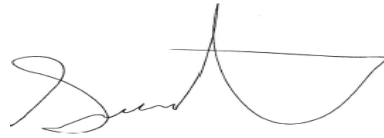
On July 9, 2024, the settlement amount of \$162,500.00, was paid to Plaintiff via a wire transfer. Please see the copy of the payment receipt, annexed herein as **Exhibit "B"**. On July 22, 2024, the apartment was cleaned and left in broom swept condition. Please see the copies of the photographs depicting the broom swept condition of the apartment annexed herein as **Exhibit "C"**. On July 22, 2024, a final walk through of the apartment was completed, and the keys and apartment were turned over to plaintiff. Please see the copy of the signed turnover letter from the plaintiff, annexed herein as **Exhibit "D"**.

In return for Defendant executing all his obligations pursuant to the settlement agreement, all claims between the parties are to be discontinued with prejudice and marked as "filed in error".

Please advise if Defendant should execute any additional documentation in anticipation of this action, counterclaims, and/or crossclaims being discontinued. Including if this Honorable Court requires that Defendant should file an Order to Show Cause in order to have this matter discontinued with prejudice.

Dated: August 1, 2024
Carle Place, New York

Very Truly Yours,



SEAN C. ACOSTA, ESQ

Attorneys for Defendant

ERHAN CIRIS

209 Glen Cove Rd, Suite 704

Carle Place, NY 11514

(516) 400-2998

Email: Sacosta@tlfsca.com

TO: HORING WELIKSON ROSEN & DIGRUGILLIERS, P.C.

Brian W. Shaw, Esq.

Attorneys for Plaintiff

GRAND ASSOCIATES, LLC

11 Hillside Avenue

Williston Park, NY 11596

(516) 535-1700

Email: bshaw@hwrpc.com

While the issues raised in Defendant's submission and its attachments may be relevant to various defenses in this action, including as a possible defense to default, the settlement agreement attached as Exhibit A to Defendant's letter was filed in an action in New York County Civil Court and binds an individual who is not party to this case. Defendant 4D Sight, Inc., therefore, is HEREBY ORDERED to respond to the pending motion for default judgment on the schedule previously set by the Court, *see* Dkt. No. 36 (setting **August 8, 2024 as Defendant's deadline for opposition**), and to appear at the Show Cause Hearing scheduled for **September 12, 2024 at 11:30a.m. in Courtroom 906**. Counsel for Defendant is FURTHER ORDERED to file a Notice of Appearance in accordance with S.D.N.Y. Local Civil Rule 1.4 prior to making any further submissions in this matter.

SO ORDERED. Dated August 5, 2024.



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE